

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION

2006 MAY -8 P 2:59

TRAVIS CO. J.V., ROGER)
C. HILL, SR., AND CHRISTOPHER HILL,)
Plaintiffs,)
VS.) CIV. ACTION NUMBER: SA-06-CA-0146 FB
HENNESSEE GROUP LLC, ELIZABETH)
LEE HENNESSEE and CHARLES J.)
GRADANTE,)
Defendants.)

*CLERK, U.S. DIST. COURT
WESTERN DIST. OF TEXAS
BY [Signature]
DEPUTY*

**DEFENDANTS' MOTION FOR EXTENSION OF TIME TO RESPOND TO
PLAINTIFFS' MOTION TO STAY CLAIMS PENDING ARBITRATION**

Defendants HENNESSEE GROUP LLC, ELIZABETH LEE HENNESSEE and CHARLES GRADANTE ("Defendants"), by and through their counsel, move, pursuant to Local Rule CV-7, for entry of an Order, extending by one week, to and including May 15, 2006, to Respond to Plaintiffs' Motion to Stay Claims Pending Arbitration. In support of this Motion, Defendants state:

1. On or about April 25, 2006, Plaintiffs filed their Motion to Stay Claims Pending Arbitration ("Motion"), seeking a stay of all claims against Lee Hennesee pending the resolution of the arbitration now pending against her before the NASD.
2. Pursuant to Local Rule CCV-7(d), Defendants are required to file their Response to Plaintiffs' Motion on or before May 8, 2006.
3. On May 5, 2006, lead counsel for Defendants – Bennett Falk – tore his rotator cuff. Mr. Falk will be spending almost the entire week attending doctors' appointments and

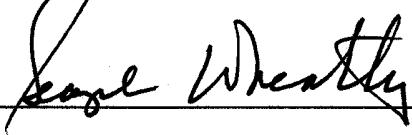
receiving physical therapy. Mr. Falk will not return to the office until the end of this week, if at all.

4. As a result, additional time is necessary to prepare and file an adequate Response to Plaintiffs' Motion. The requested extension is not sought for purposes of undue delay.
5. On May 8, 2006, Matthew Wolper, an attorney in Mr. Falk's office attempted to contact counsel for Plaintiffs by telephone and electronic mail prior to filing this motion. However, counsel for Plaintiffs could not be reached.

WHEREFORE, Defendants pray for entry of an Order, extending by one week, to and including May 15, 2006, the time within which they may respond to Plaintiffs' Motion to Stay Claims Pending Arbitration.

Respectfully submitted,

JENKENS & GILCHRIST
A Professional Corporation

By: 

SEAGAL V. WHEATLEY
Jenkens & Gilchrist,
A Professional Corporation
112 East Pecan, Suite 900
San Antonio, Texas 78205
(210) 246-5000
(210) 246-5999 (Fax)

ELLEN SESSIONS
Jenkens & Gilchrist
A Professional Corporation
1445 Ross Avenue, Suite 3700
Dallas, Texas 75202
(214) 855-4500
(214) 855-4300 (Fax)

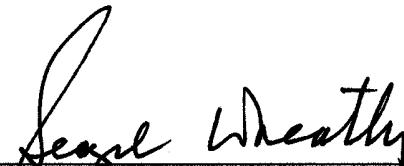
BENNETT FALK
Bressler, Amery & Ross, PC
Huntington Centre II
2801 SW 149th Avenue
Miramar, FL 33027
Telephone: 954-499-7979
Fax: 954-499-7969

Attorneys for Defendants HENNESSEE
GROUP LLC, ELIZABETH LEE
HENNESSEE AND CHARLES
GRADANTE

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing has been forwarded to the following counsel of record by hand delivery on this 8th day of May, 2006:

Marvin G. Pipkin
Kortney Kloppe-Orton
PIPKIN, OLIVER & BRADLEY, LLP
1020 N.E. Loop 410, Suite 810
San Antonio, Texas 78205



SEAGAL WHEATLEY

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION

TRAVIS CO. J.V., ROGER)
C. HILL, SR., AND CHRISTOPHER HILL,)
Plaintiffs,)
VS.) CIV. ACTION NUMBER: SA-06-CA-0146 FB
HENNESSEE GROUP LLC, ELIZABETH)
LEE HENNESSEE and CHARLES J.)
GRADANTE,)
Defendants.)

**ORDER GRANTING DEFENDANTS' MOTION FOR EXTENSION OF TIME TO
RESPOND TO PLAINTIFFS' MOTION TO STAY CLAIMS PENDING ARBITRATION**

This Court having received Defendants' Motion For Extension Of Time To Respond To Plaintiffs' Motion To Stay Claims Pending Arbitration, being duly and fully advised in the premises, and finding that such Motion should be granted:

IT SHALL BE AND IS HEREBY ORDERED THAT:

Defendants shall have to and including May 15, 2006, to file their Response to Plaintiffs' Motion to Stay Claims Pending Arbitration.

ORDERED, this _____ day of May, 2006.

Judge, United States District Court

Copies to:

SEAGAL V. WHEATLEY

Jenkens & Gilchrist,
A Professional Corporation
112 East Pecan, Suite 900
San Antonio, Texas 78205
(210) 246-5000
(210) 246-5999 (Fax)

ELLEN SESSIONS

Jenkins & Gilchrist
A Professional Corporation
1445 Ross Avenue, Suite 3700
Dallas, Texas 75202
(214) 855-4500
(214) 855-4300 (Fax)

BENNETT FALK

Bressler, Amery & Ross, PC
Huntington Centre II
2801 SW 149th Avenue
Miramar, FL 33027
Telephone: 954-499-7979
Fax: 954-499-7969

Marvin G. Pipkin

Kortney Kloppe-Orton
PIPKIN, OLIVER & BRADLEY, LLP
1020 N.E. Loop 410, Suite 810
San Antonio, Texas 78205
Telephone: 210-820-0082
Fax: 210-820-0077